

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v. No. CR 08-00222 WHA

13 LUKE D. BRUGNARA,

14 Defendant.

15 / **REQUESTS RE
16 SEPTEMBER 16 HEARING**

17 The following items are requested to prepare for tomorrow's hearing on defendant's
motion to recuse the United States Attorney's Office for the Northern District of California:

18 • The Court notes that defendant's sixth allegation — regarding how
19 FBI agents "broke through locked and dead bolted gates (with 2x4
20 wood door jam) that had been posted with a large DO NOT
21 TRESPASS sign" at the Sea Cliff property — is not part of his
22 declaration (*see* Br. 3). If defendant wishes to put that allegation
23 under oath, please do so by **9 AM ON SEPTEMBER 16, 2014**.
24 • Defendant's wife Kay Brugnara is requested to please attend
25 tomorrow's hearing and to be ready to testify as needed regarding
26 defendant's sixth allegation (*i.e.*, in August 2014, two FBI agents
27 broke through the front gate at the Sea Cliff property to try and
28 interview defendant's wife and persuade her not to sign as a surety,

United States District Court

For the Northern District of California

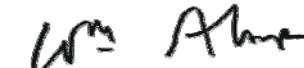
1 and that the FBI agents were speaking or getting instructions from
2 Assistant United States Attorney Doug Sprague) (Br. 3).

3 • The government will please have the two FBI agents — who
4 allegedly broke through the gate at the Sea Cliff property and spoke
5 with defendant's wife in August 2014 — present at tomorrow's
6 hearing and ready to testify under oath.

7 • The government declares that it has contacted the Bureau of Prisons
8 for defendant's file, but that it would take a "couple of weeks" to
9 get that file from the BOP's archives. Nonetheless, the government
10 is requested to please bring to hearing any records that it has on
11 defendant's alleged misclassification of 22 points and his skull-
12 fracture injuries while at FCI La Tuna. In addition, once the
13 government has obtained a copy of defendant's BOP file, please
14 submit that file as soon as possible to the undersigned judge and the
15 defense.

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17 **IT IS SO ORDERED.**

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19 Dated: September 15, 2014.


20 WILLIAM ALSUP
21 UNITED STATES DISTRICT JUDGE

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